



PATENT  
SUS1.PAU.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Thomas Weisel	Art Unit:	3731
Serial No.:	10/803,406	Examiner:	Unknown
Filed:	March 17, 2004		
Title:	EXPANDABLE NEEDLE SUTURE APPARATUS AND ASSOCIATED HANDLE ASSEMBLY		

**RESPONSE TO NOTICE TO FILE MISSING PARTS,  
REQUEST TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a),  
AND REQUEST FOR ONE-MONTH EXTENSION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450


Dear Sir:

This response is being filed within three (3) months of the Notice to File Missing Parts of Nonprovisional Application mailed June 2, 2004. Applicant hereby requests a one (1) month extension of time. Applicant has enclosed the necessary fees for the response to the notice to file missing parts as well as the extension of time. If necessary, please credit any surplus or charge any deficit to our Deposit Account No. 01-1960.

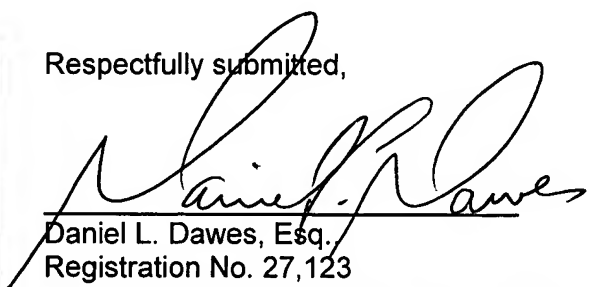
Pursuant to 37 C.F.R. 1.48(a) Applicant respectfully requests correction of inventorship from the naming of Thomas Weisel as the sole inventor to the naming of Thomas Weisel and Martin Padget as joint inventors. Please find enclosed herewith a copy of the Notice to File Missing Parts of Nonprovisional Application, the ASSIGNEE'S CONSENT TO CHANGE OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a), DECLARATION OF THOMAS WEISEL stating that the error arose without any deceptive intention, DECLARATION OF MARTIN PADGET

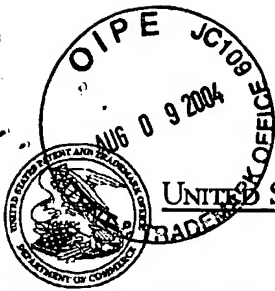
stating that the error arose without any deceptive intention, and an executed Declaration including the signatures of all joint inventors.

Please feel free to contact the undersigned if you have any questions or comments.

<p align="center"><b><u>Certificate of Mailing</u></b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on <u>August 5, 2004</u>.</p> <p>By Eric Hoover</p> <p></p> <p>_____ Signature</p> <p><u>August 5, 2004</u></p>
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Respectfully submitted,

  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/803,406	03/17/2004	Thomas Weisel	SUS1.PAU.02

CONFIRMATION NO. 5563

09533  
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IRVINE, CA 92612

## FORMALITIES LETTER



\*OC000000012839297\*

Date Mailed: 06/02/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/10/2004 GWRD0F1 00000037 10803406

FILED UNDER 37 CFR 1.53(b)

01 FC:2051

65.00 DP

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

MTS/oe  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY